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SUBJECT: NIGER: IS TANDJA SEEKING A THIRD TERM?

Classified By: Donald W. Koran, DCM, reasons 1.4 (b/d)

11. (SBU) There are signs that President Tandja may seek to stay in office beyond the end of his current term in 2009:

-- He has put a growing number of government activities under his "Presidential Special Program" and is increasing the amount of time the government-controlled media gives to those activities. (The Presidential Special Program is funded with government resources freed up by Niger's debt relief. It funds community projects such as the construction of schools and clinics, but is not handled as part of the normal government budget process.)

-- He has further concentrated power in the presidency following the ouster of former Prime Minister Hama Amadou in June. The new Prime Minister, Seini Oumarou, does not have the same stature as Amadou and many of the issues that had previously been handled by the Prime Minister are now handled by the President. Key Ministers (Foreign Affairs, Interior, Justice and Defense) are widely believed to report directly to the President.

-- Tandja's supporters appear to be trying to wrestle control of the ruling MNSD party apparatus from allies of former Prime Minister, current head of the MNSD, and likely future presidential candidate, Hama Amadou.

-- There are rumors that Tandja has initiated a review of possible constitutional amendments, including the revision of article 36 which says the President can only be re-elected once.

12. (U) Amendments to the Nigerien constitution require approval by 3/4 of the National Assembly. Article 136 of the constitution states that certain principles (republicanism, multipartyism, and the separation of religion and state), as well as articles 36 and 141 cannot be revised. Article 36 stipulates that the president serves a five year term, and can only be re-elected once. Article 141 grants amnesty to those involved in the 1996 and 1999 coups. This would appear to preclude amending the constitution to allow a third term, but raises the possibility of adopting a new constitution. A constituency for a new constitution would include those who would like to hold the 1996 and 1999 coup plotters accountable.

13. (SBU) There is growing speculation that Tandja could use the rebellion in the north as a pretext to postpone the presidential elections, scheduled for late 2009. Some of our interlocutors cite Ivoirian president Gbagbo's continued postponement of elections due to the division of Cote D'Ivoire as a model.

14. (C) Comment: The next Presidential elections are still over two years away, and Tandja has given no official indication that he may wish to stay in office beyond his current term. He is, however, behaving increasingly like a candidate rather than a lame duck, which has sparked growing

concern among many Nigeriens -- not the least among Presidential aspirants -- that he has not resigned himself to leaving office in 2009. The next election should mark the first transfer of power from one elected president to another. Any effort by Tandja to prolong his tenure would not bode well for Niger's fragile democratic transition.

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